



SO ORDERED.

SIGNED this 09 day of November, 2006.



Randy D. Doub
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILSON DIVISION**

IN RE:

CASE NO.

TERESA ANN SANDERS

06-03436-8-RDD

DEBTOR

**ORDER ALLOWING DEBTOR'S MOTION PURSUANT TO
11 U.S.C. § 362(c)(3)(B) FOR CONTINUATION OF THE AUTOMATIC STAY AS TO ALL
CREDITORS**

Pending before the court is the debtor's motion, pursuant to 11 U.S.C. § 362(c)(3)(B), for a continuation of the automatic stay as to all creditors. A hearing took place in Wilson, North Carolina on November 8, 2006. The debtor represented to the court that all interested parties were served with the motion and the notice of motion.

Teresa Ann Sanders filed a petition for relief under chapter 13 of the Bankruptcy Code on October 26, 2006. A prior case of the debtor was pending within the preceding one-year period but was dismissed on August 1, 2006. The debtor's current filing is subject to the presumption that it was not filed in good faith as provided in 11 U.S.C. § 362(c)(3)(C), but the debtor has demonstrated that the filing of the later case is in good faith as to the creditors to be stayed, and has provided clear and convincing evidence

sufficient to rebut the presumption that the case was not filed in good faith. The debtor testified that she was unable to make the payments in her prior case because she incurred additional expenses of approximately \$800.00 to have her car repaired. Her car is now repaired and operable. Her income has increased from approximately \$1760.00 per month to \$2173.00 per month. The court finds that there has been a substantial change in the debtor's financial or personal affairs since the dismissal of the prior case. No response to the debtor's motion has been filed, and the motion therefore is uncontested.

Accordingly, and pursuant to 11 U.S.C. § 362(c)(3)(B), the stay contained in 11 U.S.C. § 362(a) shall continue in effect throughout the pendency of the debtor's chapter 13 case as to all creditors unless otherwise ordered or terminated by operation of a separate statutory provision (e.g., § 362(h)).

SO ORDERED.

END OF DOCUMENT